

REMARKS

The Applicant spoke with Examiner Ferguson on July 22, 2003, regarding the Office Action issued on April 23, 2003. During the telephone conversation, the Applicant pointed out several discrepancies in the Office Action and requested a corrected Office Action and to have the date reset. Examiner Ferguson agreed to send a corrected Office Action and to reset the date.

The Applicant would like to respectfully point out in the corrected Office Action dated September 23, 2003, that there are duplicate Section 102 rejections as to several of the claims.

Specifically, the Examiner has rejected *Claims 1, 11, and 21-22* under 35 U.S.C. §102(e) as being anticipated by Shohora et al. (U.S. Patent No. 6,473,607). The Examiner has rejected *Claims 1-2, 5-6, 8, 10, 11-12, 15, 18 and 20-22* under 35 U.S.C. §102(a) as being anticipated by Easton et al. (WO 00/04738). Thus, independent Claims 1, 11, and 21-22 have been rejected under two separate Section 102 rejections.

The Applicant is not able to properly respond to the Examiner's rejections as to the independent claims since they have been rejected under two separate Section 102 rejections. The Applicant requests the Examiner to withdraw one of the Section 102 rejections as to the independent claims so the Applicant can respond properly. Further, the Applicant respectfully requests a corrected Office Action and to have the date reset for the Office Action.

If there are any fees due in connection with the filing of this response, please charge such fees to our Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for, such an extension is requested and the fee should also be charged to our Deposit Account. A duplicate copy of this page is enclosed.

Respectfully submitted,

Dated: December 23, 2003
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